

E-filed: 6/10/2008

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

RAMBUS INC.,

Plaintiff,

v.

HYNIX SEMICONDUCTOR INC., HYNIX
SEMICONDUCTOR AMERICA INC.,
HYNIX SEMICONDUCTOR
MANUFACTURING AMERICA INC.,

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA,
INC., SAMSUNG SEMICONDUCTOR, INC.,
SAMSUNG AUSTIN SEMICONDUCTOR,
L.P.,

NANYA TECHNOLOGY CORPORATION,
NANYA TECHNOLOGY CORPORATION
U.S.A.,

Defendants.

No. C-05-00334 RMW

ORDER REQUESTING PROSECUTION
HISTORY MATERIALS

RAMBUS INC.,

No. C-05-02298 RMW

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA,
INC., SAMSUNG SEMICONDUCTOR, INC.,
SAMSUNG AUSTIN SEMICONDUCTOR,
L.P.,

Defendants.

ORDER REQUESTING PROSECUTION HISTORY MATERIALS
C-05-00334 RMW; C-05-02298-RMW; C-0600244 RMW
TSF

1 RAMBUS INC.,
 2 Plaintiff,
 3 v.
 4 MICRON TECHNOLOGY, INC., and
 5 MICRON SEMICONDUCTOR PRODUCTS,
 6 INC.
 7 Defendants.

No. C-06-00244 RMW

8 At the claim construction hearing on June 4 and 5, the parties referred to the restriction
 9 requirement issued by the PTO in response to the original patent application, no. 07/510,898. For
 10 example, Rambus's slide no. 30 cites to "Examiner's Action, 9/18/91 at 2." The court has been
 11 unable to locate a copy of this Examiner's Action in the record.

12 The court also recalls an Exhibit G to Gerald Mossinghoff's expert report entitled "Family
 13 Tree of the Rambus Patents-in-Suit" prepared by counsel for Micron. This exhibit, however, does
 14 not appear with the e-filed version of Mr. Mossinghoff's report (docket nos. 228, 256 in C-06-
 15 00244). The court would be assisted by a family tree representing the patents-in-suit and how they
 16 relate to various continuations and the initial restriction requirement. The exhibit used in the patent
 17 trial (trial exhibit 3495) is partially illegible.

18 Accordingly, the court orders the parties to submit a copy of the Examiner's Action cited on
 19 slide 30 of Rambus's slide presentation. The court would also appreciate a copy of Exhibit G to Mr.
 20 Mossinghoff's report. Please file these documents by Friday, June 13.

21
 22 DATED: 6/10/2008

Ronald M. Whyte

23
 24 RONALD M. WHYTE
 25 United States District Judge
 26
 27
 28

1 **Notice of this document has been electronically sent to:**

2 Counsel for Rambus Inc., all actions		3 Counsel for Hynix entities, C-00-20905 and C-05-00334	
4 Burton Alexander Gross	Burton.Gross@mto.com	Allen Ruby	ruby@allenrubylaw.com
5 Carolyn Hoecker Luedtke	carolyn.luedtke@mto.com	Belinda Martinez Vega	bvega@omm.com
6 Catherine Rajwani	crajwani@sidley.com	Daniel J. Furniss	djfurniss@townsend.com
7 Craig N. Tolliver	ctolliver@mckoolsmith.com	Geoffrey Hurndall Yost	gyost@thelenreid.com
8 David C. Yang	david.yang@mto.com	Jordan Trent Jones	jtjones@townsend.com
9 Douglas A. Cawley	dcawley@mckoolsmith.com	Joseph A. Greco	jagreco@townsend.com
10 Erin C. Dougherty	erin.dougherty@mto.com	Kenneth Lee Nissly	kennissly@thelenreid.com
11 Gregory P. Stone	gregory.stone@mto.com	Kenneth Ryan O'Rourke	korourke@omm.com
12 Jennifer Lynn Polse	jen.polse@mto.com	Patrick Lynch	plynch@omm.com
13 Keith Rhoderic Dhu Hamilton, II	keith.hamilton@mto.com	Susan Gregory VanKeulen	svankeulen@thelenreid.com
14 Kelly Max Klaus	kelly.klaus@mto.com	Theodore G. Brown, III	tgbrown@townsend.com
15 Miriam Kim	Miriam.Kim@mto.com	Tomomi Katherine Harkey	tharkey@thelen.com
16 Peter A. Detre	detrepa@mto.com	Counsel for Micron entities, C-06-00244	
17 Pierre J. Hubert	phubert@mckoolsmith.com	Aaron Bennett Craig	aaroncraig@quinnmanuel.com
18 Rosemarie Theresa Ring	rose.ring@mto.com	David J. Ruderman	davidruderman@quinnmanuel.com
19 Scott L Cole	scole@mckoolsmith.com	Harold Avrum Barza	halbarza@quinnmanuel.com
20 Scott W. Hejny	shejny@sidley.com	Jared Bobrow	jared.bobrow@weil.com
21 Sean Eskovitz	sean.eskovitz@mto.com	John D Beynon	john.beynon@weil.com
22 Steven McCall Perry	steven.perry@mto.com	Leeron Kalay	leeron.kalay@weil.com
23 Thomas N Tarnay	ttarnay@sidley.com	Linda Jane Brewer	lindabrewer@quinnmanuel.com
24 William Hans Baumgartner, Jr	wbaumgartner@sidley.com	Rachael Lynn Ballard McCracken	rachaelmccracken@quinnmanuel.com
25		Robert Jason Becher	robertbecher@quinnmanuel.com
26		Yonaton M Rosenzweig	yonirosenzweig@quinnmanuel.com
27			
28			

ORDER REQUESTING PROSECUTION HISTORY MATERIALS
C-05-00334 RMW; C-05-02298-RMW; C-0600244 RMW

TSF

United States District Court

For the Northern District of California

1 Counsel for Nanya entities, C-05-00334		2 Counsel for Samsung entities, C-05-00334 and C-05-02298	
3 Chester Wren-Ming Day	cday@orrick.com	Ana Elena Kadala	anita.kadala@weil.com
4 Craig R. Kaufman	ckaufman@orrick.com	Claire Elise Goldstein	claire.goldstein@weil.com
5 Glenn Michael Levy	glevy@orrick.com	David J. Healey	david.healey@weil.com
6 Jan Ellen Ellard	jellard@orrick.com	Edward Robert Reines	Edward.Reines@weil.com
7 Jason Sheffield Angell	jangell@orrick.com	Matthew D. Powers	matthew.powers@weil.com
8 Kaiwen Tseng	ktseng@orrick.com		
9 Mark Shean	mshean@orrick.com		
10 Robert E. Freitas	rfreitas@orrick.com		
11 Vickie L. Feeman	vfeeman@orrick.com		

12 Counsel for intervenor, Texas Instruments, Inc., C-05-00334	
13 Kelli A. Crouch	kcrouch@jonesday.com
14 Counsel for intervenor, United States Department of Justice, C-00-20905	
15 Eugene S. Litvinoff	eugene.litvinoff@usdoj.gov
16 May Lee Heye	may.heye@usdoj.gov
17 Nathanael M. Cousins	nat.cousins@usdoj.gov
18 Niall Edmund Lynch	Niall.Lynch@USDOJ.GOV
19 Counsel for intervenor, Elpida Memory, Inc., C-00-20905 and C-05-00334	
20 Eric R. Lamison	elamison@kirkland.com
21 John J. Feldhaus	jfeldhaus@foley.com

21
Counsel are responsible for distributing copies of this document to co-counsel that have not
22
registered for e-filing under the court's CM/ECF program in each action.

23
Dated: 6/10/2008

24
TSF
Chambers of Judge Whyte

25
26
27
28
ORDER REQUESTING PROSECUTION HISTORY MATERIALS
C-05-00334 RMW; C-05-02298-RMW; C-0600244 RMW

TSF